

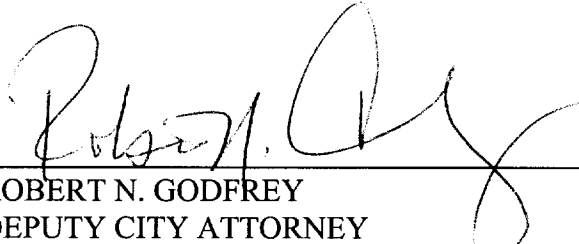
01- R-0022

Entered - 10/21/99 - sb  
CL99L0663 - DIANNE C. MITCHELL


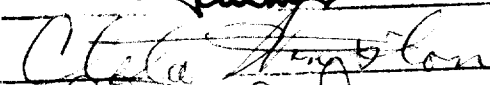
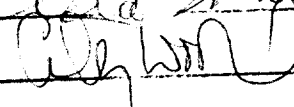
CLAIM OF: JANICE WELDON,  
through her attorney,  
Stanford J. Klinger  
Suite 1200  
100 Colony Square  
Atlanta, Georgia 30361

For damages alleged to have been sustained as a result of the  
wrongful death of Ronald Courtney Weldon on April 11, 1999 at  
4255 Will Lee Road, College Park, Georgia.

THIS ADVERSED REPORT IS APPROVED

BY:   
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

ADVERSED BY JAN 16 2001

ADVERSED REPORT  
J.M. P.S. + L.A.  
DATE 1/16/01  
CHAI C.T. Martin  
  
  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

January 26, 2001

Stanford J. Klinger  
Attorney at Law  
100 Colony Square  
Suite 1200  
Atlanta, GA 30361

01-R-0022

RE: Janice Weldon

Dear Attorney Klinger

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your client's claim at its regular meeting on January 16, 2001. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: **Claims Division/Law Department**

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **99L0663**

Date: December 27, 2000

Claimant /Victim JANICE WELDON  
 BY: (Atty) Stanford N. Klinger  
 Address: Suite 1200, 100 Colony Square, Atlanta, Georgia 30361  
 Subrogation: Claim for Property damage \$ \_\_\_\_\_ Bodily Injury \$ not stated  
 Date of Notice: 10/12/99 Method: Written, proper X Improper \_\_\_\_\_  
 Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
 Date of Occurrence 04/11/99 Place: 4255 Will Lee Road, College Park  
 Department: \_\_\_\_\_ Division: \_\_\_\_\_  
 Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges her relative was killed while diving in a swimming pool located in the Welcome All Park and Natatorium which is part of the Fulton County Department of Parks and Recreation. The claimant further alleges that the City is liable due to its involvement in the planning, design, construction and/or installation of said swimming pool in conjunction with the 1996 Olympics. However, the City is immune from liability as set forth in O.C.G.A. §36-33-1.


**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
 Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_  
 Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
 Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

**BASIS OF RECOMMENDATION:**

Function: Governmental           X           Ministerial                                   
Improper Notice                                  More than Six Months                                  Other           X           Damages reasonable                                   
City not involved                                  Offer rejected                                  Compromise settlement                                   
Repair/replacement by Ins. Co.                                  Repair/replacement by City Forces                                   
Claimant Negligent                                  City Negligent                                  Joint                                  Claim Abandoned                                 

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

**RECOMMENDATION:**

Pay \$                      Adverse ☒ Account charged: 1A01            2J01            2H01             
Claims Manager: *[Signature]* Concur/date 12-28-00  
Committee Action:                      Council Action

RCS# 2563  
1/16/01  
4:18 PM

Atlanta City Council

Regular Session

Claims

MULTIPLE

Unfavorable Items 9-33

01-R-0012	01-R-0023	ADOPT	
01-R-0013	01-R-0024		
01-R-0014	01-R-0025	YEAS:	13
01-R-0015	01-R-0026	NAYS:	0
01-R-0016	01-R-0027	ABSTENTIONS:	0
01-R-0017	01-R-0044	NOT VOTING:	3
01-R-0018	01-R-0045	EXCUSED:	0
01-R-0019	01-R-0047	ABSENT	0
01-R-0020	01-R-0048		
01-R-0021	01-R-0049		
01-R-0022	01-R-0050		
	01-R-0051	01-R-0052	

NV McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	NV Boazman	NV Pitts

MULTIPLE